IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dipan Patel   Art Unit   :   2454
Serial No. : 10/561,428   Examiner :   James T. Baron
Filed   : March 26, 2007   Confirmation No.:   6357
                                           Notice of Allowance Date: April 11, 2011
Title   : METHOD AND SYSTEM FOR SELECTIVELY DISTRIBUTING DATA TO A
             SET OF NETWORK DEVICES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

The undersigned thanks Examiner Baron for the courtesy of the Applicant-initiated telephone interviews conducted on May 11, 2011 and May 20, 2011. In the interviews, Examiner Baron agreed he would enter the proposed claim amendments listed below in an Examiner's amendment in this case. In addition, the Examiner indicated he would also issue a supplemental Notice of Allowance.

112.   **PROPOSED** (Currently amended) A method comprising:

receiving, by a set top box, update code streamed to the set top box by a server on a predetermined channel;

generating, by the set top box, a trigger to check whether the set top box is to invoke the update code that is streamed to the set top box by the server on a predetermined channel;

receiving, by the set top box in response to the trigger, an m-bit update flag included in the update code, wherein the m-bit flag does not uniquely identify the set top box;

accessing, by the set top box in response to the trigger, an n-bit unique hardware identifier assigned to the set top box;

comparing, within the set top box, the m-bit update flag to a predetermined portion of the n- bit unique hardware identifier, wherein n is greater than m;

determining, based on comparing the m-bit update flag to the predetermined portion of the n-bit unique hardware identifier, that the m-bit update flag matches the predetermined portion of the n-bit unique hardware identifier; and

selectively invoking, by the set top box, the ~~first~~ update code based on determining that the m- bit update flag matches the predetermined portion of the n-bit unique hardware identifier.

121.   **PROPOSED** (Currently amended) The method of claim 120, further comprising:

determining, by the server, ~~determine~~ a second quantity of set top boxes to update from the plurality of set top boxes based on the quantity of users that have provided feedback for the update code;

selecting, by the server, ~~select~~ a value, o, based on the second quantity of set top boxes to update and the quantity, n, where the value, o, is less than the quantity, n;

generating, by the server, ~~generate~~ an o-bit update flag;

including, by the server, ~~include~~ the o-bit update flag in update code; and

streaming, by the server, ~~stream~~ the update code, including the o-bit update flag, to the plurality of set top boxes on the predetermined channel.

122.   **PROPOSED** (Currently amended) A system comprising:

a set top box; and

a non-transitory computer-readable medium coupled to the set top box having instructions stored thereon which, when executed by the set top box, cause the set top box to:

receive update code streamed to the set top box by a server on a predetermined channel;

generate a trigger to check whether the set top box is to invoke the update code that is streamed to the set top box by the server on a predetermined channel;

receive, in response to the trigger, an m-bit update flag included in the update code, wherein the m-bit flag does not uniquely identify the set top box;

access, in response to the trigger, an n-bit unique hardware identifier assigned to the set top box;

compare the m-bit update flag to a predetermined portion of the n- bit unique hardware identifier, wherein n is greater than m;

determine, based on comparing the m-bit update flag to the predetermined portion of the n-bit unique hardware identifier, that the m-bit update flag matches the predetermined portion of the n-bit unique hardware identifier; and

selectively invoke the update code based on determining that the m- bit update flag matches the predetermined portion of the n-bit unique hardware identifier.

123.   **PROPOSED** (Currently amended) The system of claim 122, wherein the instructions further cause the set top box to:

determine, in response to determining that the m-bit update flag matches the predetermined portion of the n-bit unique hardware identifier, that the update code is a newer version of code that exists on the set top box, wherein the update code is selectively invoked based on determining that the update code is a newer version of code that exists on the set top box.

124.   **PROPOSED** (Currently amended)   The system of claim 122, wherein the instructions further cause the set top box to determine that the set top box has been booted or rebooted, wherein the trigger is generated based on determining that the set top box has been booted or rebooted.

125.   **PROPOSED** (Currently amended) The system of claim 122, wherein the instructions further cause the set top box to determine that a predetermined period of time has elapsed, wherein the trigger is generated based on determining that the predetermined period of time has elapsed.

126.   **PROPOSED** (Currently amended) The system of claim 122, wherein the instructions further cause the set top box to receive a user selection, wherein the trigger is generated based on receiving the user selection.

127.   **PROPOSED** (Currently amended) The system of claim 122, wherein <u>the</u> instructions further cause the set top box to receive a confirmation from the user that the update code is to be invoked, wherein the update code is invoked based on receiving the confirmation from the user.

131.   **PROPOSED** (Currently amended) The system of claim 130, wherein the ~~operations further comprise:~~ instructions further cause the server to:

determine a second quantity of set top boxes to update from the plurality of set top boxes based on the quantity of users that have provided feedback for the update code;

select a value, o, based on the second quantity of set top boxes to update and the quantity, n, where the value, o, is less than the quantity, n;

generate an o-bit update flag;

include the o-bit update flag in update code; and

stream the update code, including the o-bit update flag, to the plurality of set top boxes on the predetermined channel.

132.   **PROPOSED** (Currently amended) A non-transitory computer storage medium encoded with a computer program, the program comprising instructions that when executed by a set top box causes the set top box to:

receive update code streamed to the set top box by a server on a predetermined channel;

generate a trigger to check whether the set top box is to invoke the update code <u>that is streamed to the set top box by the server on a predetermined channel</u>;

receive, in response to the trigger, an m-bit update flag included in the update code, wherein the m-bit flag does not uniquely identify the set top box;

access, in response to the trigger, an n-bit unique hardware identifier assigned to the set top box;

compare the m-bit update flag to a predetermined portion of the n- bit unique hardware identifier, wherein n is greater than m;

determine, based on comparing the m-bit update flag to the predetermined portion of the n-bit unique hardware identifier, that the m-bit update flag matches the predetermined portion of the n-bit unique hardware identifier; <u>and</u>

selectively ~~invoking,~~ invoke, by the set top box, the update code based on determining that the m- bit update flag matches the predetermined portion of the n-bit unique hardware identifier.

No fees are due. Please apply any charges not otherwise paid, or apply any credits, to Deposit Account 06-1050

Respectfully submitted,

Date: May 20, 2011   /Marie Smyth, Reg. No. 65,404/
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